

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALEX REINIG, KEN GRITZ, and BOB
SODA, *individually and on behalf of those
similarly situated*

Plaintiffs,

v.

CITIZENS BANK, N.A.

Defendant.

CIVIL ACTION NO: 2:15-cv-01541-AJS

MOTION FOR LEAVE TO FILE RESPONSE TO DEFENDANT’S SUR-REPLY BRIEF

Named Plaintiffs, by and through undersigned counsel, hereby moves for leave to file a short Response to Defendant’s Sur-Reply Brief, ECF Doc. No. 404. In support of the Motion, Named Plaintiffs asserts as follows:

1. Defendant moved to file a Sur-Reply Brief in further support of their Counter Proposed Findings of Fact on February 23, 2022, and, after the Court granted this motion, filed their Sur-Reply Brief on March 3, 2022.

2. In Defendant’s Sur-Reply Brief, Defendant represented that Plaintiffs made “misstatements and misleading comparisons of testimony” from Defendant’s managers, without any citation to the portions of Plaintiff’s Proposed Findings of Fact and Briefs in which these alleged misstatements occurred.

3. Plaintiffs request leave to file a short Response to Defendant’s Sur-Reply Brief, attached hereto as Exhibit A, to address Defendant’s allegation that Plaintiffs and their counsel have misrepresented the factual and testimonial record.

4. Plaintiffs’ Response is less than 500 words, will not prejudice Defendant, and is

necessary to correct Defendant's misstatements concerning Plaintiffs' citation to the record.

WHEREFORE, Named Plaintiffs respectfully requests that this Honorable Court grant it leave to file the attached Response to Defendant's Sur-Reply.

Respectfully Submitted,

/s/ Joshua Boyette
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Dated: March 9, 2022